

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 686 Session of 2025

INTRODUCED BY DUSH, ROTHMAN, COLEMAN, PHILLIPS-HILL, STEFANO AND J. WARD, APRIL 28, 2025

SENATOR DUSH, STATE GOVERNMENT, AS AMENDED, MAY 6, 2025

AN ACT

1 ~~Amending the act of February 14, 2008 (P.L.6, No.3), entitled~~ <--
2 ~~"An act providing for access to public information, for a~~
3 ~~designated open records officer in each Commonwealth agency,~~
4 ~~local agency, judicial agency and legislative agency, for~~
5 ~~procedure, for appeal of agency determination, for judicial~~
6 ~~review and for the Office of Open Records; imposing~~
7 ~~penalties; providing for reporting by State related~~
8 ~~institutions; requiring the posting of certain State contract~~
9 ~~information on the Internet; and making related repeals," in~~
10 ~~judicial review, providing for criminal penalty.~~

11 AMENDING TITLE 18 (CRIMES AND OFFENSES) OF THE PENNSYLVANIA <--
12 CONSOLIDATED STATUTES, IN FALSIFICATION AND INTIMIDATION,
13 FURTHER PROVIDING FOR THE OFFENSE OF TAMPERING WITH PUBLIC
14 RECORDS OR INFORMATION.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 ~~Section 1. The act of February 14, 2008 (P.L.6, No.3), known~~ <--
18 ~~as the Right to Know Law, is amended by adding a section to~~
19 ~~read:~~

20 ~~Section 1305.1. Criminal penalty.~~

21 ~~(a) Offense defined. A person commits an offense if the~~
22 ~~person intentionally and unlawfully alters, destroys, conceals,~~
23 ~~removes or otherwise impairs the verity or availability of any~~
24 ~~record for which a request has been made under this act.~~

1 ~~(b) Grading. An offense under this section is a felony of~~
2 ~~the third degree.~~

3 SECTION 1. SECTION 4911(B) OF TITLE 18 OF THE PENNSYLVANIA <--
4 CONSOLIDATED STATUTES IS AMENDED TO READ:

5 § 4911. TAMPERING WITH PUBLIC RECORDS OR INFORMATION.

6 * * *

7 (B) GRADING.--AN OFFENSE UNDER THIS SECTION IS A MISDEMEANOR
8 OF THE SECOND DEGREE UNLESS THE RECORD, DOCUMENT OR THING IS THE
9 SUBJECT OF A CURRENT REQUEST OR APPEAL UNDER THE ACT OF FEBRUARY
10 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW, OR THE
11 INTENT OF THE ACTOR IS TO DEFRAUD OR INJURE ANYONE, IN WHICH
12 CASE THE OFFENSE IS A FELONY OF THE THIRD DEGREE.

13 Section 2. This act shall take effect in 60 days.